1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	United States Attorney MIRANDA KANE (CABN 150630) Chief, Criminal Division OWEN P. MARTIKAN (CABN 177104) Assistant United States Attorney 450 Golden Gate Avenue, Box 36055 San Francisco, California 94102 Telephone: (415) 436-6758 Facsimile: (415) 436-6753 E-Mail: owen.martikan@usdoj.gov Attorneys for the United States of America UNITED STATES DISTRICT COUR' NORTHERN DISTRICT OF CALIFORM SAN FRANCISCO DIVISION	
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	MIRANDA KANE (CABN 150630) Chief, Criminal Division OWEN P. MARTIKAN (CABN 177104) Assistant United States Attorney 450 Golden Gate Avenue, Box 36055 San Francisco, California 94102 Telephone: (415) 436-6758 Facsimile: (415) 436-6753 E-Mail: owen.martikan@usdoj.gov Attorneys for the United States of America UNITED STATES DISTRICT COUR' NORTHERN DISTRICT OF CALIFORM SAN FRANCISCO DIVISION	
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	OWEN P. MARTIKAN (CABN 177104) Assistant United States Attorney 450 Golden Gate Avenue, Box 36055 San Francisco, California 94102 Telephone: (415) 436-6758 Facsimile: (415) 436-6753 E-Mail: owen.martikan@usdoj.gov Attorneys for the United States of America UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORM SAN FRANCISCO DIVISION	
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	Assistant United States Attorney 450 Golden Gate Avenue, Box 36055 San Francisco, California 94102 Telephone: (415) 436-6758 Facsimile: (415) 436-6753 E-Mail: owen.martikan@usdoj.gov Attorneys for the United States of America UNITED STATES DISTRICT COURY NORTHERN DISTRICT OF CALIFORM SAN FRANCISCO DIVISION	
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	450 Golden Gate Avenue, Box 36055 San Francisco, California 94102 Telephone: (415) 436-6758 Facsimile: (415) 436-6753 E-Mail: owen.martikan@usdoj.gov Attorneys for the United States of America UNITED STATES DISTRICT COURY NORTHERN DISTRICT OF CALIFORM SAN FRANCISCO DIVISION	
7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	Telephone: (415) 436-6758 Facsimile: (415) 436-6753 E-Mail: owen.martikan@usdoj.gov Attorneys for the United States of America UNITED STATES DISTRICT COURY NORTHERN DISTRICT OF CALIFORM SAN FRANCISCO DIVISION	
8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	E-Mail: owen.martikan@usdoj.gov Attorneys for the United States of America UNITED STATES DISTRICT COUR' NORTHERN DISTRICT OF CALIFORM SAN FRANCISCO DIVISION	
9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	Attorneys for the United States of America UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORM SAN FRANCISCO DIVISION	
10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	UNITED STATES DISTRICT COUR' NORTHERN DISTRICT OF CALIFORM SAN FRANCISCO DIVISION	
11 12 13 14 15 16 17 18 19 20 21 22 23 24	UNITED STATES DISTRICT COUR' NORTHERN DISTRICT OF CALIFORM SAN FRANCISCO DIVISION	
12 13 14 15 16 17 18 19 20 21 22 23 24	NORTHERN DISTRICT OF CALIFORM SAN FRANCISCO DIVISION	
13 14 15 16 17 18 19 20 21 22 23 24	SAN FRANCISCO DIVISION	NIA
14 15 16 17 18 19 20 21 22 23 24	13	
15 16 17 18 19 20 21 22 23 24	7075	66 MAG
16 17 18 19 20 21 22 23 24	14 UNITED STATES OF AMERICA,) No: CR 4:11- 7076	5 MAG
17 18 19 20 21 22 23 24		ND [PROPOSED] ORDER
18 19 20 21 22 23 24) TO CONTINUE A) FIVE DAYS	RRAIGNMENT DATE BY
19 20 21 22 23 24	 	
20 21 22 23 24	18) Defendant.	
21 22 23 24	19	
22 23 24	20	
23 24	This case is currently set for arraignment on October 7, 201	1. The parties are working
24	on a resolution of this case, and the United States requires three add	titional business days to
	obtain the necessary approvals for the proposed information and set	tlement. The defense has
	agreed to this continuance.	
25	-	t the arraignment currently
26	The parties therefore stipulate and ask the Court to order that	
27		nesday, October 12, 2011.
28	scheduled for Friday, October 7, 2011, be continued until next Wed	•
	scheduled for Friday, October 7, 2011, be continued until next Wed The parties further stipulate that the time between October 7 and 12	, 2011, be excluded from the

CASE NO. CR 4:11-70765 MAG

Case 4:11-mj-70756-MRGD Document 23 Filed 10/06/11 Page 2 of 3

1	granting the continuance would allow the reasonable time necessary for effective preparation of
2	defense counsel, taking into account the exercise of due diligence. See 18 U.S.C. §
3	3161(h)(7)(B)(iv). The parties also agree that the ends of justice served by granting such a
4	continuance outweighed the best interests of the public and the defendant in a speedy trial. See
5	18 U.S.C. § 3161(h)(7)(A). The parties further agree that for the same reason, the time for
6	arraignment under Fed. R. Crim P. 5.1 should be extended by five days.
7	SO STIPULATED:
8	MELINDA HAAG United States Attorney
9	10/5/2011 /s/
10 11	DATED: OWEN P. MARTIKAN Assistant United States Attorney
12	10/5/2011
13	DATED: /s/ ELLEN LEONIDA
14	Attorney for Christopher Conway
15	[PROPOSED] ORDER
16	Pursuant to the parties' stipulations and for good cause shown, the Court hereby
17	continues the arraignment in this matter from Friday, October 7, 2011, until Wednesday, October
18	12, 2011. The Court also concludes that an exclusion of time is warranted from October 7, 2011,
19	until October 12, 2011, because the ends of justice served by the continuance outweigh the best
20	interests of the public and the defendant in a speedy trial, and the failure to grant the requested
21	continuance would deny defense counsel the reasonable time necessary for effective preparation
22	and for continuity of counsel, taking into account the exercise of due diligence, and would result
23	in a miscarriage of justice. See 18 U.S.C. §3161(h)(8)(B)(iv). For the same reason, the Court
24	concludes that the time for arraignment under Fed. R. Crim. P. 5.1 shall be extended by five
25	days.
26	
27	
28	

SO ORDERED.

DATED: October 6, 2011

LAUREL BEELER

United States Magistrate Judge

STIP. & [PROP.] ORDER RE: ARRAIGNMENT CASE NO. CR 4:11-70765 MAG